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PATENT TRADEMARK OFFICE

February 5, 2002

Honorable Commission of Patents and Trademarks
Washington, D.C. 20231

Re: Appl. No. 10/054,225; Filed: November 13, 2001
For: DIAGNOSTIC ASSAY FOR ANTIBIOTIC TOLERANCE
Inventors: Robyn M. Atkinson, *et al*
Our Ref: SJ-01-0022

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

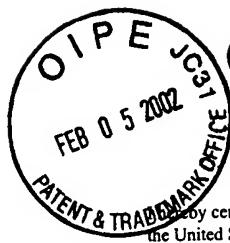
1. Information Disclosure Statement (2 pages)
2. Patent and Trademark Office form PTO/SB/09A (1 page)
3. Copies of references AA1 through AD1
4. A self-addressed and stamped return postcard
5. Certificate of express mailing no. EL 321 868 713 US

Regards,

J. Scott Elmer
Reg. No. 36,129
Director, Office of Technology Licensing

JSE:rdm

Enclosures



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CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: The Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Regina D. McKinney
Type or Print Name

Signature

2/5/02
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: :
Atkinson *et al.* : Art Unit:
Serial No. 10/054,225 : Examiner: To be assigned
Filed: November 13, 2001 : Atty Docket: SJ-01-0022
For: Diagnostic Assay for Antibiotic :
Tolerance :

INFORMATION DISCLOSURE STATEMENT

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Sir:

In accordance with 37 CFR §1.56, Applicants wish to call the Examiner's attention to the references cited on the attached form Patent and Trademark Office form PTO/SB/08A.

A copy of the listed references are enclosed herewith in accordance with 37 CFR §1.98(a)(2).

The Examiner is respectfully requested to consider the foregoing in relation to this application including an indication thereof by making the cited references of record herein and to indicate that the references were considered by initialing and returning a copy of the PTO-1449 form to Applicants.

In accordance with 37 C.F.R. §1.97(b)(1), no fee is believed to be required for consideration of this statement because it is being submitted within three months of the filing date for the above-captioned application.

The Commissioner is hereby authorized to charge any additional fees required, or to credit any overpayment, to Deposit Account No. 501968.

Respectfully submitted,



James Scott Elmer
Attorney for Applicant
Registration No. 36,129

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Date: February 5, 2002